



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,210	10/09/2001	Olivier Francis Pichon	REGIM 3.0-006	5808

530 7590 05/07/2004

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 05/07/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

20

Office Action Summary

Application No.

09/973,210

Applicant(s)

PICHON

Examiner

Steven P Sax

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-10 and 14 is/are rejected.
- 7) ☒ Claim(s) 4-6 and 11-13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. This application has been examined.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 7-10, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Scott et al (5675752).

4. Regarding claim 1, Scott et al show a method for modifying a pre-existing graphical user interface comprising a tree structure of components each having a display area defined by area parameters (abstract, Figures 3, 5, 6, 13A, column 3 lines 55-67), the interface operable by a cursor control input device and components having listeners to respond to events from the input device (column 7 lines 55-67, column 8 lines 5-18), including: providing components with an indicator identifying them as in edit or operation mode (Figures 3, 4E, 5, column 10 lines 25-44), detecting a main trigger event inputted by a user (column 10 lines 3-20), upon the main trigger event, inhibiting all component listeners and updating component mode indicators based on cursor

Art Unit: 2174

location relative to components at time of trigger (column 8 lines 5-19, column 10 lines 35-55, column 11 lines 35-50), when a component is in edit mode, detecting area parameter change events from the cursor input device (column 11 lines 30-51), when the area parameter change events occur, identifying a target component for area parameter change and applying the changes (column 11 line 55 – column 12 line 15).

5. Regarding claim 2, the mode indicators are defined by a component path identifying all components in edit mode (column 14 lines 40-67, column 15 lines 50-67).

6. Regarding claim 3, the component path has sub-components, wherein two adjacent components in a path have a parent/child relationship (column 16 lines 60-67, column 17 lines 1-15).

7. Regarding claim 7, a list of listeners of the interface components is established and stored, and a device performs the method as an event listener for some of the components (column 19 lines 1-33, column 20 lines 30-45).

8. Claims 8-10 and 14 show the same features as claims 1-3 and 7 respectively and are rejected for the same reasons.

9. Claims 4-6 and 11-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the

Art Unit: 2174

limitations of the base claim and any intervening claims. These claims bring out the details of the specific proximity along the path and associated linking of component path properties, button/ cursor simultaneity on determining area parameter criteria, and cursor position factoring in area parameter change events. The features, as correspondingly combined with all antecedent features, are not set forth in the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P Sax whose telephone number is 703-305-9582. The examiner can normally be reached on M-F 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SEVEN P SAX
EXAMINER